

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Criminal No. 21-173-01 (PJS/DTS)

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANTON JOSEPH LAZZARO,
a/k/a Tony Lazzaro,
a/k/a Tony,

Defendant.

**GOVERNMENT’S MOTION IN
LIMINE TO PRECLUDE
REFERENCE TO MATTERS
PREVIOUSLY LITIGATED**

The United States of America, by and through its attorneys, Andrew M. Luger, United States Attorney for the District of Minnesota, and Emily Polachek, Laura Provinzino, and Melinda Williams, Assistant United States Attorneys, hereby submits its motion in limine to preclude reference to pretrial matters previously litigated, including but not limited to Defendant’s allegations of selective and vindictive prosecution.

Defendant has filed numerous pretrial motions in this case, including motions to amend the Court’s detention order (ECF Nos. 44, 83), to suppress evidence (ECF No. 127), asking the Court to find the charging statute unconstitutional (ECF No. 132), claiming selective and vindictive prosecution (ECF Nos. 133, 214), and seeking sanctions against the Government (ECF Nos. 212, 213). These claims were fully litigated and argued before the Court. The Court found that Defendant’s motions

lacked merit. As such, any mention of these allegations is foreclosed by this Court's orders (ECF No. 232, 264, 274), letter to Defendant (ECF No. 279), and Federal Rule of Evidence 403.

The Government therefore asks for an Order precluding the defense and Defendant from referring to these motions or their content during the trial. This includes references to (1) the constitutionality of the Trafficking Victims Protection Act, (2) Defendant's unfounded allegations of improper motivations of the Government in prosecuting Defendant, (3) Defendant's allegations regarding the political affiliations and donations of members of the prosecution team, (4) Defendant's investigation of Congresswoman Ilhan Omar, (5) comparisons between this case and others charged (or not charged) in this District, and (6) Defendant's unfounded allegations that the Government listened to privileged attorney-client communications.

Respectfully submitted,

Dated: March 6, 2023

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s/ Emily Polachek

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